

<u>Amendment</u>	<u>Richardson, 09/835,543</u>	<u>9 August 2003</u>
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REMARKS

This is in response to the communication mailed 9 April, 2003.

Claims 1-5 and 10-49 are pending. Claims 5-16 were cancelled by the amendment filed 23 August, 2003. Claims 17-19 are cancelled by this Amendment. Claim 20 is amended to cancel the dependency from claim 19. Claim 40 is amended to correct a typographical error.

Claims 1-4

The Examiner has raised Welch et al. as an obstacle to the patentability of claims 1-4. As discussed by telephone with the Examiner on 21 July, 2003, Welch et al. disclose a switchable optical system using a selected input light beam on a first selected reflective element (17) which is deflected by a grating (17). The other claims 1-4 are referring to elements (23) which focus the collimated light beam onto an output amplifier (25) as described at col. 4, ln. 38-40.

The other cited references fail to remedy this deficiency.

Therefore, the Applicant submits that claim 1, and claims 2-4 which depend from claim 1, are in condition for allowance.

Claims 21-24

Claim 21 requires "wherein more than one of said selectable reflective optical elements is located within the range over which said adaptive optical element is capable of focusing said light beam". The Applicant submits that this feature in combination with the other elements of claim 21 distinguishes the cited references.

Therefore, the Applicant submits that claim 21, and claims 22-24 which depend from claim 21 are in condition for allowance.

Claims 25-28

Claim 25 requires "the at least one adjustable focus optical element configured to focus the optical signal onto a currently selected one of the reflective elements among the reflective elements becoming the currently selected one of the reflective elements to vary a focus of the adjustable focus optical element to focus the optical

claims 1-4 and 17-20. The cited reference fails to teach optical switching between which collimated light beam is deflected by a

elements are capable of focusing said light beam in combination with the

configured to focus the optical signal onto a different one of the reflective elements, to vary a focus of the adjustable focus optical element onto the

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different one of the reflective elements". The Applicant submits that this feature in combination with the other elements of claim 25 distinguishes the cited references.

Therefore the Applicant su
are in condition for allowan

ts that claim 25, and claims 26-37 which depend from cla 25

Claim 38

Claim 38 has been amended for clarity.

Claim 38 recites "a plurality of optical elements ... capable of input channels onto any one of the elements, each of the plurality located to require a different focus setting. The Applicant submits that this distinguishes the cited references.

adjustable focus optical elements, each of the adjustable focusing an optical signal from the corresponding one of a plurality of the plurality of individually switchable reflective elements of the plurality of individually switchable reflective elements. The focus setting of the adjustable focus optical element". The feature in combination with the other elements of claim 38 distinguishes the cited references.

Therefore the Applicant su

ts that claim 38 is in condition for allowance.

Claim 39

Claim 39 recites "operating the input channel onto the combination with the other

adjustable focus optical element to focus the optical signal from the reflective element". The Applicant submits that this feature in combination with the other elements of claim 39 distinguishes the cited references.

Therefore the Applicant su
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ts that claim 39, and claims 40-45 which depend from cla 39

Claim 46

Claim 46 has been amended from the selected input channel to element". The Applicant submits that this feature in combination with the other elements of claim 46 distinguishes the cited references.

for clarity. Claim 46 recites "altering a focus of an optical signal to focus the optical signal onto the actuated reflective element". The Applicant submits that this feature in combination with the other elements of claim 46 distinguishes the cited references.

Therefore, the Applicant su
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ts that claim 46, and claims 47-48 which depend from cla 46

Amendment to Richardson, 09/15439 August 2Claim 49

Claim 49 recites "focusing a selected radiation beam on a first selected reflective optical switching element; selecting a second reflective optical switching element; and, focusing the selected radiation beam on the second reflective optical switching element." The Applicant submits that this feature in the text of claim 49 distinguishes the cited references.

Therefore, the Applicant submits that claim 49 is in condition for allowance.

Other Art

The Examiner drew the Applicant's attention to Giles et al. (6,411,751). The Applicant submits that all of the pending claims distinguish Giles et al. Giles et al. fails to disclose a variable focus optical element and fails to teach or suggest the features of the independent claims of this application which are referenced above.

Conclusion

The Applicant respectfully requests reconsideration and allowance of this application in view of the amendments and remarks presented above.

Respectfully submitted,

FAX RECEIVED

By:

Gavin N. Manning
Registration No.: 36,412
Tel. No.: (604) 669-3432
Fax No.: (604) 681-4081
TECHNOLOGY CENTER 2800